

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Rashawn R. Russell,

Debtor.

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Chapter 7

Case No. 22-42185-nhl

**NOTICE OF MOTION OF TRUSTEE FOR AN ORDER
DISMISSING INVOLUNTARY CHAPTER 7 CASE**

PLEASE TAKE NOTICE that Robert J. Musso, Chapter 7 Trustee (“Trustee”) of the estate of Rashawn R. Russell (“Debtor”) by his attorneys Rosenberg, Musso & Weiner, LLP, will move this court before the Honorable Nancy Hershey Lord, at a hearing to be conducted telephonically, dial in number 888-363-4734, Access Code 4702754 on March 23, 2023 at 11:00 a.m. or as soon thereafter counsel can be heard for an Order pursuant to 11 U.S.C. §707(a)(1) dismissing the petition without prejudice for a petition to be re-filed together with such other relief as it is just and proper.

PLEASE TAKE FURTHER NOTICE, that the hearing shall not be held in person but shall be held telephonically or by video. Those intending to appear at the hearing must register with eCourt Appearances no later than two days prior to the hearing. The phone number or link to the hearing will be emailed to those that register with eCourt Appearances in advance of the hearing. Attorneys with a CM/ECF account may register under the Utilities menu after logging on to CM/ECF. Instructions for registering can be found at <https://www.nyeb.uscourts.gov/node/2126> . Those without a CM/ECF account may access the program at <https://ecf.nyeb.uscourts.gov/cgi-bin/nyebAppearances.pl> . If you do not have internet access or are otherwise unable to register with eCourt Appearances, you may email Judge Nancy Hershey Lord’s courtroom deputy for instructions at nhl_hearings@nyeb.uscourts.gov at least two (2) business days prior to the

hearing. Your email must include your name, the case number(s), who you represent (if you are an attorney), hearing date and phone number.

PLEASE TAKE NOTICE, that objections to the Application and/or responsive papers, if any must be in writing, must conform to the requirements of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules of the United States Bankruptcy Code for the Eastern District of New York and must be filed on or before March 10, 2023 with the Clerk of the Bankruptcy Court (with a copy to Chambers), and served so as to be received by attorneys for the Trustee, Rosenberg, Musso & Weiner, LLP 26 Court Street, Suite 2211, Brooklyn, New York 11242, Attention: Robert J. Musso, Esq., and Klestadt Winters, Attn: Brendan Scott, Esq., on or before March 10, 2023. Parties with legal representation shall file with the court: (a) (i) through the Bankruptcy Court's electronic filing system (in accordance with General Order M-182) which may be accessed through the internet at <http://ecf.nyed.uscourts.gov> and (ii) in portable document format (PDF) using Adobe Exchange software for conversion, or (b) if a party is unable to file electronically, such party shall submit the response or objection in PDF format on a diskette in an envelope with the case name, case number and title of document: or (c) if a party is unable to file electronically or use PDF format, such party shall submit the response or objection on a diskette in either Word, Word Perfect, or DOS text (ASCII) format.

PLEASE TAKE FUTHER NOTICE, that the failure of any objecting person or entity receiving Notice to file an Objection thereto on a timely basis may be a bar to the assertion of any objection to the Application.

Dated: Brooklyn, New York
February 14, 2023

Rosenberg, Musso & Weiner, LLP
Proposed Counsel to Trustee

By: /s/Robert J. Musso
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